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Crime prevention and criminal justice

Belarus: draft resolution

Improving the coordination of efforts against trafficking in persons

The General Assembly,

Reiterating its strong condemnation of trafficking in persons, especially women and children, which constitutes an offence and a serious threat to human dignity and physical integrity, human rights and development,

Reiterating its concern that, despite sustained measures taken at the international, regional and national levels, trafficking in persons remains one of the grave challenges facing the international community, which also impairs the enjoyment of human rights and needs a more concerted collective and comprehensive international response,

Bearing in mind that all States have an obligation to exercise due diligence to prevent, investigate and punish perpetrators of trafficking in persons and to rescue victims, as well as to provide for their protection, and that not doing so violates and impairs or nullifies the enjoyment of the human rights and fundamental freedoms of the victims,

Welcoming the adoption by world leaders of the outcome document of the United Nations summit for the post-2015 development agenda, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",[1] and the commitment by Member States to take immediate and effective measures to eradicate human trafficking in all its forms,

Reaffirming the commitment made by world leaders at the Millennium Summit,[2] the 2005 World Summit[3] and the high-level plenary meeting of the

[1] Resolution 70/1.
[2] Resolution 55/2.
[3] Resolution 60/1.

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General Assembly on the Millennium Development Goals, held in 2010,[4] to devise, enforce and strengthen effective measures to combat and eliminate all forms of trafficking in persons, to counter the demand for trafficked victims and to protect the victims,

Recalling the United Nations Convention against Transnational Organized Crime,[5] the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[6] which provided the definition of the crime of trafficking in persons, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography[7] and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery,[8]

Taking note of the adoption of the Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29), of the International Labour Organization, which emphasized the link between forced labour and trafficking in persons,

Recognizing the significance of the United Nations Global Plan of Action to Combat Trafficking in Persons, adopted by the General Assembly in its resolution 64/293 of 30 July 2010, and underlining the importance of its full implementation,

Reaffirming that the Global Plan of Action was developed:

(a) To promote universal ratification of the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, as well as other relevant international instruments that address trafficking in persons, and to reinforce the implementation of existing instruments against trafficking in persons,

(b) To help Member States to reinforce their political commitments and legal obligations to prevent and combat trafficking in persons,

(c) To promote comprehensive, coordinated and consistent responses at the national, regional and international levels to counter trafficking in persons,

(d) To promote a human rights-based, gender- and age-sensitive approach in addressing all factors that make people vulnerable to trafficking in persons and in strengthening the criminal justice response, which are necessary to prevent trafficking in persons, protect victims and prosecute perpetrators,

(e) To raise awareness within the United Nations system and also among States and other stakeholders, such as the private sector, civil society and the international and national mass media, and the public at large,

(f) To foster cooperation and coordination among all relevant stakeholders, including Member States, international organizations, civil society organizations and the private sector, and within various entities of the United Nations system, taking into account existing best practices and lessons learned,

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[4] Resolution 65/1.
[5] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[6] Ibid., vol. 2237, No. 39574.
[7] Ibid., vol. 2171, No. 27531.
[8] Ibid., vol. 266, No. 3822.

Recalling its resolutions 61/180 of 20 December 2006, 64/178 of 18 December 2009, 67/190 of 20 December 2012 and 68/192 of 18 December 2013 on improving the coordination of efforts against trafficking in persons and other relevant General Assembly resolutions on trafficking in persons,[9]

Recalling also Economic and Social Council resolution 2015/23 of 21 July 2015 on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons and previous Council resolutions on trafficking in persons,

Recalling further Human Rights Council resolution 23/5 of 13 June 2013, entitled "Trafficking in persons, especially women and children: efforts to combat human trafficking in supply chains of businesses",[10] and other relevant resolutions of the Council on trafficking in persons,

Taking note with appreciation of the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation, adopted at the high-level segment of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, held in Doha from 12 to 19 April 2015, in which Member States reaffirmed that they would strive to take appropriate measures to prevent and counter trafficking in persons and protect the victims,

Recalling the adoption of the Declaration of the High-level Dialogue on International Migration and Development,[11] held on 3 and 4 October 2013, and the commitment by Member States, inter alia, to prevent and combat trafficking in persons, to protect victims of trafficking, stressing the need to establish or upgrade, as appropriate, national and regional anti-human trafficking policies, and to reinforce cooperation on prevention, the prosecution of traffickers and the protection of victims of trafficking,

Recognizing the important role of the Inter-Agency Coordination Group against Trafficking in Persons in fostering coordination and cooperation in the global fight against trafficking in persons, in particular the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the International Labour Organization, the International Organization for Migration, the United Nations Development Programme, the United Nations Population Fund, the United Nations Educational, Scientific and Cultural Organization and other intergovernmental organizations, within their existing mandates,

Recognizing also that the Inter-Agency Coordination Group, within its mandate, contributes to the implementation of the Global Plan of Action, and taking note with appreciation of the activities of the United Nations Office on Drugs and Crime as coordinator of the Group,

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[9] Resolutions 55/67, 58/137, 59/166, 61/144, 63/156 and 63/194.

[10] See *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 53* (A/68/53), chap. V, sect. A.

[11] Resolution 68/4.

Emphasizing the central role of the work of the United Nations Office on Drugs and Crime in the global fight against trafficking in persons, particularly in providing technical assistance to implement the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention against Transnational Organized Crime, by making use of and further developing technical assistance tools and releasing publications to support Member States in combating trafficking in persons,

Recognizing the need to continue to foster a global partnership against trafficking in persons and the need to continue to work towards an enhanced comprehensive and coordinated approach to prevent and combat trafficking and to protect and assist victims of trafficking in persons through the appropriate national, regional and international mechanisms,

Recognizing also the importance of bilateral, subregional, regional and international cooperation mechanisms and initiatives, including information exchanges on good practices, of Governments and of intergovernmental and non-governmental organizations to address the problem of trafficking in persons, especially women and children,

Stressing the need to protect victims of trafficking from being incarcerated and prosecuted even when States have inadequate or no formal procedures for their identification,

Recognizing that broad international cooperation between Member States and relevant intergovernmental and non-governmental organizations is essential for effectively countering the threat of trafficking in persons and other contemporary forms of slavery,

Recognizing also that victims of trafficking are often subject to multiple forms of discrimination and violence, including on the grounds of gender, age, disability, ethnicity, culture and religion, as well as national or social origin, and that these forms of discrimination may themselves fuel trafficking in persons, and that women and children without nationality or without birth registration are particularly vulnerable to trafficking in persons,

Stressing the need to promote and protect the rights of victims of trafficking in persons and to reintegrate victims into the community, including by taking into account, where appropriate, the Recommended Principles and Guidelines on Human Rights and Human Trafficking[12] and the commentary thereon developed by the Office of the United Nations High Commissioner for Human Rights, as well as the Guidelines on the Protection of Child Victims of Trafficking developed by the United Nations Children's Fund,

Welcoming the efforts of Member States, United Nations agencies, international organizations, civil society organizations and the private sector to address the problem of trafficking in persons, including women and girls as the most vulnerable group, and encouraging them to further enhance their efforts and cooperation, including by sharing their knowledge and best practices as widely as possible,

[12] E/2002/68/Add.1.

Affirming that capacity-building is a very important component in combating trafficking in persons, and in this regard stressing the need to intensify international cooperation to combat trafficking in persons, as well as technical assistance for countries aimed at strengthening their ability to prevent all forms of trafficking, including supporting their development programmes,

Recognizing that the Global Plan of Action and the establishment of the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, established in compliance with the Global Plan of Action, aim at raising awareness of the situation of victims of human trafficking and at providing them with humanitarian, legal and financial aid through established channels of assistance, such as governmental, intergovernmental and non-governmental organizations,

Reaffirming the importance of humanitarian, legal and financial aid to victims of trafficking in persons, including through governmental, intergovernmental and non-governmental organizations, including the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children and the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery,

Taking note of the report of the Secretary-General,[13] which provides information on, inter alia, efforts made by all stakeholders to further enhance the implementation of the Global Plan of Action,

Taking note also of the reports of the Special Rapporteur on trafficking in persons, especially women and children,[14]

Recognizing that, in accordance with the United Nations Convention against Transnational Organized Crime, the Conference of the Parties to the Convention is established to improve the capacity of States parties to combat transnational organized crime and to promote and review the implementation of the Convention, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention against Transnational Organized Crime,

1. *Urges* Member States that have not yet done so to consider ratifying or acceding to, as a matter of priority, the United Nations Convention against Transnational Organized Crime[5] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[6] taking into consideration the central role of those instruments in the fight against trafficking in persons, and also urges States parties to those instruments to implement them fully and effectively;

2. *Urges* Member States and other stakeholders mentioned in the United Nations Global Plan of Action to Combat Trafficking in Persons, and invites the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and relevant international, regional and subregional organizations, within their respective mandates, to continue to contribute to the full and effective implementation of the Global Plan of Action, including by means of strengthening cooperation and improving coordination among themselves in achieving that goal;

[13] A/70/94.

[14] A/69/269 and A/70/260.

3. *Recognizes* that eliminating trafficking in persons and providing access to justice for all, including victims of trafficking, are essential to attaining sustainable development outcomes;

4. *Invites* Member States to give due consideration to the commitments on combating trafficking in persons and eradicating human trafficking in all its forms made by world leaders at the United Nations summit for the adoption of the post-2015 development agenda,[1] the Millennium Summit,[2] the 2005 World Summit[3] and the high-level plenary meeting of the General Assembly on the Millennium Development Goals, held in 2010;[4]

5. *Recalls* the holding of the high-level meeting of the General Assembly during its sixty-seventh session, from 13 to 15 May 2013, to appraise the progress achieved in the implementation of the Global Plan of Action, which, inter alia, evinced strong political will to step up efforts against trafficking in persons;

6. *Also recalls* its decision to appraise, on a quadrennial basis, starting at its seventy-second session, the progress achieved in the implementation of the Global Plan of Action, and therefore decides to convene, within existing resources, a high-level meeting of the General Assembly at its seventy-second session, no later than October 2017, in order to assess achievements, gaps and challenges, including in the implementation of the relevant legal instruments;

7. *Requests* the Secretary-General, in close cooperation with Member States, to take all measures necessary to arrange the high-level meeting, and invites the President of the General Assembly to appoint two co-facilitators to assist him in conducting open-ended informal consultations with Member States with a view to determining the modalities of the meeting, including on the participation of international, regional and subregional organizations, as well as civil society, including non-governmental organizations, the private sector and the media, whose role is emphasized in the Global Plan of Action;

8. *Recalls* its decision to designate 30 July as the World Day against Trafficking in Persons, to be observed annually, and, while welcoming the joint events held by Member States, United Nations agencies, other international organizations and civil society at the international, regional and national levels to mark the World Day, invites all stakeholders to continue their cooperation in this area in order to raise awareness of trafficking in persons and the situation of the victims of this crime and to promote and protect their rights;

9. *Expresses support* for the activities of the United Nations Office on Drugs and Crime, reaffirms its request to the Secretary-General to provide adequate support to the Commission on Crime Prevention and Criminal Justice, and invites Member States to make voluntary contributions to the Office for the purpose of providing assistance to Member States upon request;

10. *Encourages* the United Nations Office on Drugs and Crime to cooperate with relevant international organizations outside the United Nations system and to invite such organizations and interested Member States to participate, when appropriate, in the meetings of the Inter-Agency Coordination Group against Trafficking in Persons and to keep Member States informed of the schedule of and the progress made by the Group;

11. *Invites* the United Nations Office on Drugs and Crime, in its capacity as coordinator of the Inter-Agency Coordination Group, and other relevant agencies of the United Nations system, to continue to increase their activities related to the implementation of relevant international instruments and the Global Plan of Action;

12. *Invites* Member States to address the social, economic, cultural, political and other factors that make people vulnerable to trafficking in persons, such as poverty, unemployment, inequality, humanitarian emergencies, including armed conflicts and natural disasters, sexual violence, gender discrimination and social exclusion and marginalization, as well as a culture of tolerance towards violence against women, youth and children;

13. *Calls upon* Member States, international organizations, civil society organizations and the private sector to increase and support prevention efforts in countries of origin, transit and destination by focusing on the demand that fosters all forms of trafficking and the goods and services produced as a result of trafficking in persons;

14. *Calls upon* Member States to continue their efforts to criminalize trafficking in persons in all its forms, including for labour exploitation and commercial sexual exploitation of children, including by tourists, to condemn these practices and to investigate, prosecute and penalize traffickers and intermediaries while providing protection and assistance to the victims of trafficking with full respect for their human rights, and invites Member States to continue to support those United Nations agencies and international organizations that are actively involved in victim protection;

15. *Recalls* the second consultative meeting on strengthening partnerships with national rapporteurs on trafficking in persons and equivalent mechanisms, held in Bangkok in May 2014, co-hosted by the United Nations Office on Drugs and Crime, the Special Rapporteur on trafficking in persons, especially women and children, and the Office of the United Nations High Commissioner for Human Rights, and the establishment of an informal network of such mechanisms from all over the world in order to address trafficking in persons in a consistent manner, exchange information and best practices and build on different national experiences;

16. *Requests* the United Nations Office on Drugs and Crime, in its capacity as fund manager of the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, to continue to encourage contributions by States and all other relevant stakeholders to the Trust Fund;

17. *Welcomes* the publication of the *Global Report on Trafficking in Persons 2012* and the *Global Report on Trafficking in Persons 2014* prepared by the United Nations Office on Drugs and Crime, looks forward to the next such report, to be produced by the Office in 2016 pursuant to the Global Plan of Action, and encourages Member States to provide to the Office evidence-based data on patterns, forms and flows of trafficking in persons;

18. *Invites* Member States to give due consideration to the commitment on combating trafficking in persons made by world leaders at the Millennium Summit,[2] the 2005 World Summit[3] and the high-level plenary meeting of the General Assembly on the Millennium Development Goals, held in 2010;[4]

19. *Encourages* the United Nations Office on Drugs and Crime and other members of the Inter-Agency Coordination Group to continue to contribute, in line with their existing mandates, to the implementation of the Global Plan of Action, and in this regard reiterates its invitation to the Office and other members of the Group to elaborate, in cooperation with Member States, a list of concrete measures planned through 2017 aimed at implementing the Global Plan of Action and to submit it in an appropriate manner to the General Assembly at its seventieth session;

20. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its seventy-first session.